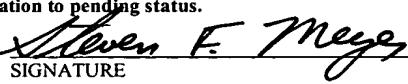


OCT 04 2004

DT02 Rec'd PCT/PTO 04 OCT 2004

FORM PTO-1390 (REV 12-2001)		ATTORNEY DOCKET NUMBER 5000-5208 U.S. APPLICATION NO. (If known, see 37 CFR 1.51) Not Yet Assigned <b>10/510387</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		INTERNATIONAL APPLICATION PCT/JP03/10094
INTERNATIONAL FILING DATE 07 August 2003		PRIORITY DATE CLAIMED 07 August 2002
TITLE OF INVENTION <b>VARIABLE DISPLACEMENT COMPRESSOR</b>		
APPLICANT(S) FOR DO/EO/US Hajime KURITA; Hiroshi UNEYAMA; Tetsuhiko FUKANUMA and Hiroaki KAYUKAWA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li>6. <input checked="" type="checkbox"/> An English translation of the International application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11. to 20. below concern document(s) or information included.		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or Information: PCT Published Application; Search Report; Copy of PCT Request - Easy Version 2.92; Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304); Notice Informing the Application of the Communication of the International Application to the Designated Offices (PCT/IB/308) a check in the amount of \$990.00 in payment of the filing fee; and a return receipt postcard.</li> </ol>		

U.S. APPLICATION NO. If known, see 37 CFR 1.107 <b>107510587</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/10094</b>	ATTORNEY'S DOCKET NO. <b>5000-5208</b>	
21. <input checked="" type="checkbox"/> The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>		
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ):</b>				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,110.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$790.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4).....\$750.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4).....\$100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT = <b>\$950.00</b>				
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	20 - 20 =	0	X \$18.00	\$0
Independent claims	1 - 3 =	0	X \$88.00	\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	\$
<b>TOTAL OF ABOVE CALCULATIONS = \$950.00</b>				
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				
<b>SUBTOTAL = \$</b>				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				
<b>TOTAL NATIONAL FEE = \$990.00</b>				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				
<b>TOTAL FEES ENCLOSED \$990.00</b>				
<b>Amount to be refunded: \$</b>				
<b>charged \$</b>				
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$990.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500 (5000-5208). A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>				
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Steven F. Meyer</b> MORGAN &amp; FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281-2101 212-415-8700 (telephone) 212-415-8701 (facsimile)</p>				
 <b>SIGNATURE</b> <b>Steven F. Meyer</b> <b>NAME</b> <b>35,613</b> <b>REGISTRATION NO.</b>				



10-05-04  
DT02 REC PCT/PTO 04 OCT 2004 PCT  
101510387 Docket No. 5000-5208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hajime KURITA; Hiroshi UNEYAMA;  
Tetsuhiko FUKANUMA and Hiroaki KAYUKAWA

Group Art Unit: Not Yet Assigned

Serial No.: Not Yet Assigned  
Examiner: Not Yet Assigned

Filed: Herewith

For: VARIABLE DISPLACEMENT COMPRESSOR

EXPRESS MAIL CERTIFICATE

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No.: EV 498828554 US

Date of Deposit: October 4, 2004

I hereby certify that the following attached paper(s) and/or fee

1. Transmittal letter to the US Designated Elected Office Concerning Filing Under 35 USC 371;
2. Specification 32 pp.; Claims 4 pp.; Abstract 1 pp.;
3. Drawings 5 sheets (Figs. 1-9);
4. Preliminary Amendment;
5. Information Disclosure Statement;
6. PTO Form 1449 with Cited References;
7. First Page of Published International Application and International Search Report No. WO 2004/015269;
8. Notice Informing the Applicant of the Communication of the International Application to the Designated Offices;
9. Assignment;
10. Assignment Recordation;
11. Declaration 5 pp.;
12. Notification Concerning Submission or Transmittal of Priority Document;
13. Copy of PCT Request – PCT-Easy Version 2.92
14. Check \$990.00; and
15. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet Cotto

(Typed or printed name of person mailing paper(s) and/or fee)

*Jafet Cotto*

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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